

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

KEVIN POWELL,	:	
Plaintiff	:	
	:	No. 4:07-cv-02225
v.	:	
	:	(Judge Kane)
DR. JOHN SYMONS,	:	
Defendant	:	

ORDER

AND NOW, on this 6th day of November 2013, **IT IS HEREBY ORDERED THAT**
Magistrate Judge Schwab's Report and Recommendation (Doc. No. 228) is **NOT ADOPTED**.
IT IS FURTHER ORDERED THAT Defendant's motion for summary judgment (Doc. No. 189) is **DENIED**, and the above-captioned action is referred back to Magistrate Judge Schwab for pretrial management.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania